



**VILLAGE BOARD MEETING
MONDAY, AUGUST 19, 2024 AT 7:00 P.M.**

Lake Hallie Municipal Building
13136 30th Avenue
Lake Hallie, WI 54729

Minutes

1. Meeting called to order according to Chapter 19.84 and 19.85 (1) (c) & (g) of the Wisconsin State Statutes by President Spilde at 7:00 p.m.

2. Roll Call: Mr. Greenwood, Mr. Hudson, Mr. Spilde and Mr. Lehmann all present. Mr. Berg attended the meeting via Microsoft Teams. Attorney David Raihle was also in attendance.

3. Pledge of Allegiance.

4. Approval of the August 19, 2024 Village Board Meeting Agenda as presented

Mr. Hudson made a motion to approve the August 17, 2024 Village Board Meeting Agenda as presented, seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present.

5. Public Comments: Public comments are limited to two (2) minutes and will be limited to issues that have an impact on the Village of Lake Hallie.
An exception to the two (2) minute limit may be made at the discretion of the Village President.

No comments from the public in attendance.

6. Committee/Department Reports:

A. Board Member Update

No Board Member update.

B. Police Chief/Police Commission Update

Chief Orgon presented his July 2024 Monthly report to the board as follows:

Complaints and Activities

13 Vehicle Crashes 26 Alarms and 911 Calls/Misdials
26 Animal Complaints 31 Assist Citizen/Motorist
15 Assist other Agencies 10 Battery/Disorderly/Harassment
2 Property Located 13 Burglary/Theft/Robbery
0 Child Custody/Domestic Disturbances 3 Missing Persons/Property
2 Crisis Interventions/Suicide Attempts 5 Civil Disputes & Building Checks
3 Damage to Property/Vandalism 5 Drug Related Complaints
6 Traffic Hazards 24 EMS/Fire Calls/Death
7 Fraud/Identity Theft/Fraudulent Activities 3 Juvenile Related Complaints
7 Noise/Music Complaints 2 Probation/Court Order/ Complaint
1 Sexual Assaults/Abuse of Vulnerable 60 Suspicious Circumstances
43 Traffic Complaints 5 Crimes – Other
5 Recreational Related/Trespassing 13 Municipal Code & Parking

Total – 330

Arrests/Citations

13 Driver License (Susp/Revoke/None) Viol. 1 Operate while Intoxicated.
0 Vehicle Registration 0 Child/Seatbelt Violations
3 Insurance Related Violations 12 Speeding

1 Hit and Run/ Failure to Notify 1 Too Fast/Inattentive/Too Close
2 Miscellaneous Traffic Citations 3 Failure to Obey Sign/Signal
0 Underage Drinking/Tavern Related Offenses 12 Warrant/Probation/Parole Arrest
1 Damage to Property 0 Other Ordinance Violations
5 Battery/Disorderly Cond/Resisting/Obstruct 4 Theft of Property/Vehicle
2 Burglary/Robbery/Trespass to Dwelling 0 Financial Crimes
7 Drug Related Arrests 0 Sexual Assault/Child Crimes
1 Reckless/Disorderly Driving 0 Other Criminal/Weapons

Total – 68

Total Traffic Stops: 132

Written Traffic Warnings: 11 Issued Parking Citations: 4 Amount of Property Damaged/Stolen: \$5,704 Property Recovered: \$150,000

C. Planning Commission Update

All items for discussion on agenda.

D. Public Works Department Update

Mr. Sam Bautch, Working Foreman presented his bi-weekly report to the board as follows:

Water

We are roughly over a quarter of the way done flushing

So far, we have flushed about 249,490 gallons of water

Turning valves is done

Wells continue to be running well and keeping up with demand

Jim and Russ have transitioned into taking the monthly Bacteria samples on their own

Roads

40th Ave received its top layer of blacktop

Senn shouldered 40th Ave and 125th Street in Landmark on Friday, August 16, 2024.

Jim is doing the second and final mowing for the year around the Village

Crack Fill Services will be here around the last week in August to do crack filing for us

Monarch is planning to do 138th Street in late August to early September

Chippewa County is planning on doing 139th Street and 90th Street hill in late August and early September

Senn is planning on doing 118th street and 17th Ave in early September

7. New Business:

- A. Discuss/approve accepting/rejecting any/all bids received on the 30th Avenue Reconstruction project as recommended by Ayres Associates

Mr. Brian Lambert, Ayres Associates informed the board that bid opening was held on August 15, 2024 for the 30th Avenue Reconstruction project. Five (5) bids were received, and he presented the bid tabulations to the board. This project is funded in part by financial assistance from the local roads improvement program (LRIP). With all bids appearing to be complete and in order, Ayres Associates would recommend awarding the project to Haas Sons, Inc, Thorp with a base bid amount of \$377,135.20. Mr. Lehmann made a motion to accept low bid of \$377,135.20 to Haas Sons, Inc. for the 30th Avenue Reconstruction project as recommended by Ayres Associates, seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present.

B. Public Hearings: for **Discussion and Approval:**

1. 2024-0010: Schultz Rezone Petition – From Residential 1 to Industrial

Mr. Spilde opened the public hearing for Tyler Schultz Rezone Petition #2024-0010 at 7:11 p.m., the attendance for the public hearing being standing-room only. Mr. Spilde explained that the hearing would be conducted professionally with people in attendance being called upon to speak and that outbursts would not be acceptable during the public hearing. Mr. Doug Clary, Chippewa County Planning & Zoning stated that board members received a copy of the rezone petition and the request for the petition was to rezone from R1 to Industrial for a storage yard for AWS, a recycling business for storage and roll-off containers. Mr. Tyler Schultz spoke on behalf of his submitted applications stating that he purchased the property in April 2024 with the intention of conducting his business on the property. Board members inquired of Mr. Schultz if his purchase was contingent on the rezone, and he stated that was his hopes although felt pressured to make the

purchase sooner than the application process for rezoning allowed. Mr. Schultz provided documentation of the surrounding properties of his lot stating that to the north are residential properties, commercial to the south, west and east. Plans for a solid fence on the entire length of the south side of the property is planned upon approval of the rezone. Current container use is 60% for construction material; 30% estate clean-out and the remaining 10% for miscellaneous uses. The containers/roll-off will come in empty with no sorting or recycling to be conducted on site. Mr. Clary mentioned that the past use of Landmark Addition in the 70s was industrial and since, has been rezoned to R-1, also noting that this lot is substandard for Industrial use as it is less than the required 1-acre lot. Several residents (list available in the Clerk's office) spoke against the rezone, submitting a petition with 117 residents of Landmark Addition signing in opposition. Concerns of the neighboring properties included (this is not an exclusive list of all concerns expressed); board members were encouraged to refresh their memory on the code book and what was acceptable use of property; Mr. Schultz knowingly made purchase for his business prior to rezoning; safety concerns; residential road is not intended for heavy traffic use; noise from truck backup alarms; stormwater management; rodents; the development of this property does not create jobs; security lights on the property; visibility concerns as traffic approaches the intersection of 40th Avenue; well contamination; the business not being aesthetically appealing to the areas; safety of the children at bus stop and riding their bikes to the landmark addition tot lot and concerns of the gas line on the southern portion of the lot questioning how much of the property is available for use. The board listened to many concerns of the public in attendance and provided an opportunity for Mr. Schultz to address the concerns. Mr. Spilde closed the public hearing at 7:44 p.m. Mr. Lehmann made a motion to deny Schultz Rezone Petition # 2024-0010 From Residential 1 to Industrial on the following bases ~ due to the location of the property, existing uses and that the rezone does not fit into the area, seconded by Mr. Hudson. On voice vote, Mr. Lehmann, Mr. Hudson and Mr. Spilde voting in favor of the denial, Mr. Greenwood voting against the denial and Mr. Berg abstained. Motion to deny passed on a 3-1-1 voice vote.

Mr. Spilde took a recess for 5 minutes so that members of the public could exit the boardroom.

Mr. Berg excused himself from the meeting via Microsoft Teams at 7:53 p.m.

2. 2024-0011: Haselwander Company Rezone Petition – From Residential 2 to Residential 3; From Agricultural to Residential 2

Mr. Spilde opened the public hearing for Rezone Petition #2024-0011 ~ Haselwander Company at 7:49 p.m. Mr. Doug Clary explained the rezone as portion of parcel number 22808-1841-0002000 being rezoned from R2 to R3 which would allow for the construction of 4-plexes, and parcel number 22808-1844-00020000 being rezoned from AG to R2 which would allow for the construction of duplexes. A concept map was presented with a preliminary design of how the units will be constructed on the parcels. Plans allow for lot sizes to be approximately 26000 sq feet, construction of four-plex (approximately 20) with one garage and constructed to meet the needs of retired individuals. The duplexes on the concept map will be approximately 35 units on the east end of the development. Concerns of the public in attendance were as follows: stormwater catch basins for water north of 40th Avenue; wetland delineation as the property appears wet from other developments draining onto the Haselwander property; will road development be extended from 42nd & 43rd Avenues to County P; the demand that such development will cause on the public water utility service; crime doubling in the last six years in the area due to the construction of duplexes in the 42nd & 43rd Avenue ~ such development will likely increase the crime rate; will the development provide for green space for children to play. Suggestion was made to view historical aerial maps to determine the extent of wetlands on the property. Mr. Neil Haselwander addressed the concerns of the Village Board and the public in attendance, stating the Plan Commission vote on Monday, August 12, 2024 was to recommend to the Village Board approval of the rezone petition as presented. Mr. Spilde closed the public hearing at 8:29 p.m.

Mr. Spilde made a motion to approve Rezone Petition #2024-0011 Haselwander Company from R2 to R-3 on parcel number 22808-1841-00020000 and from Ag – R-2 on parcel number 22808-1844-00020000 as presented, seconded by Mr. Greenwood. On voice vote, Mr. Spilde, Mr. Greenwood and Mr. Hudson voting aye. Mr. Lehmann voting nay and Mr. Berg no longer in attendance at the meeting. Motion carried on 3-1 voice vote.

3. 2024-0007: Lake Lodges Condos LLC Variance Request

Mr. Spilde opened the public hearing for Variance Request #2024-0007 Lake Lodges Condos LLC at 8:20 p.m.

Lake Lodges Condos LLC, Romaine Bergh made an application for a variance request to allow driveway access to the proposed twin-homes district at the SW terminus of 116th Street. The proposed development shares 24' wide common access driveway for each unit. This variance would allow for a non-shared access driveway spur to be within 5' of the common lot line between units. Mr. Bergh wishes to split the driveways of the twin home units which will reduce the overall impervious area of the site and is requesting that the units' driveways be allowed within the 5' common line setback; the proposed driveway would be 3' from the common line. A change in the building design was driven by the spacing required for the units' individual septic systems as well as the front & side yard setbacks. The units will conform to zoning standards with the exception that one garage is on the common lot line; the other is not. This driveway spacing will not affect the neighboring properties and the design of the units will benefit the public interest as it allows more space between driveways to be landscaped or seeded as green space. Mr. Bergh's design of the twin homes is not the same and stated that with a homeowner's association agreement in place, concerns of snow removal on neighboring properties, grass clipping, and such will be addressed. Mr. Spilde closed the public hearing for variance request 2024-0007 at 8:29 p.m.

Mr. Lehmann made a motion to approve Variance Request #2024-0007 Lake Lodges Condos LLC to allow driveways not meeting the 5' setback to property line be allowed, seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present.

4. 2024-0008: Citizens Community Federal Variance Request

Mr. Spilde opened the public hearing for Variance Request #2024-0008 Citizens Community Federal at 8:30 p.m.

Mr. Doug Clary explained Variance Request #2024-0008, Citizens Community Federal to the Village Board. This request is to allow a directional sign exceeding the six square feet allowed in accordance with section 70-149 (d) (3) and not meeting the road right of way setback in accordance with section 70-109 (a) (3) (a) of the Village of Lake Hallie Zoning Ordinance.

- Section 70-149(d)(3): Signage intended to facilitate the movement of vehicles and pedestrians upon the premise shall not exceed six (6) square feet in size. CONFLICT: The proposed signs will exceed this requirement as they are a combination of a free-standing sign and a directional sign.

Mr. Clary reviewed his staff comments and recommendations to the board as follows:

Staff Comments: There are two existing freestanding signs on the property. One is approximately 144 square feet and the other are approximately 43 square feet. Under section 70-149(d)(2), the industrial district (as well as the commercial districts) are allowed a maximum of 2 freestanding signs with a maximum total of 200 square feet of signage.

In 2016, a permit was issued for onsite directional signs for this property (see attachment 1) that shows it is possible to meet the requirements of the ordinance. The current proposal, in his opinion, requests a dual functioning sign, which provides for "onsite directions" and serves as additional "free-standing signs". The proposed signs will be approximately 10 square feet.

The ordinance does not consider the size of the lot and does not differentiate the signage allowed in the commercial or industrial districts. The lot is zoned industrial which requires a minimum of one-acre in size. A highway or local commercial zoning classification would require a minimum of 20,000 square feet (just under ½ acre). Mr. Clary's point being if the existing lot was two lots, the Village could potentially see four (4) free-standing signs (2 on each lot) with a total of 400 square feet (200 for each lot) of free-standing signage.

Mr. Clary stated that if the Board considered these directional signs, then a setback to the property line would not be required. If the board considers these freestanding signs, a 10' setback would be required. Mr. Clary believed the proposed sign on Commercial Blvd can meet the 10' requirement and not be a hinderance to individuals accessing or leaving the financial institution. The proposed sign which is proposed on the north side of the property by the Strip Mall Access Rd could meet the 10' setback, but it would be pushed into the parking lot.

Staff Recommendation: Mr. Clary stated he would recommend **APPROVAL** of the variance request. The Village should look at these as directional signs with the following conditions:

- The Commercial Blvd directional sign shall be located at least 10' away from the property lines.
- The Strip Mall Access directional sign can be placed with a 1' setback to the property line.
- The sign design shall be in accordance with the submitted photos within the variance application.

Mr. Spilde closed the public hearing at 8:35 p.m.

Mr. Lehmann made a motion to approve Variance Request #2024-0008 Citizens Community Federal based on the staff recommendations of Mr. Clary with the following conditions: *the Commercial Blvd directional sign shall be located at least 10' away from the property lines; *the strip mall access directional sign can be placed with a 1' setback to the property line; and *the sign design shall be in accordance with the submitted photos within the variance application, seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present.

C. Discuss/approve addendum to Lake Hallie Police Department WPPA Contract for years 2024-2026 to increase wages for Detective position

Mr. Lehmann stated that addendums to the Lake Hallie Police Department Contract belonged in closed session, therefore this item was tabled until the September 3, 2024 Village Board meeting.

D. Discuss/approve removal of playground equipment at Horgen Park

Mr. Bill Brinkman, Parks Supervisor stated he received a message from Kent Stelter, Parks, Recreation and Tourism Commission Chairman that the slide at Horgen Park was unsafe for use. Mr. Brinkman did assess the condition of the slide and found a few minor repairs were necessary. Mr. Brinkman indicated he could make the repairs. The Village Board referred the concerns to the Parks Commission for their review/recommendation.

E. Discuss/approve Ordinance #2024-01 ~ modifications to Section 8.9.04 (5) (q) of the Village of Lake Hallie Code of Ordinances dealing with Vehicle Habitation (2nd reading of the board)

Mr. Lehmann made a motion to approve Ordinance #2024-01 ~ modifications to Section 8.9.04 (5) (q) of the Village of Lake Hallie Code of Ordinances dealing with Vehicle Habitation (2nd reading of the board), seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present.

F. Discuss/approve Ordinance #2024-02 – Amendment to Section 70-109 Setbacks from Highway

Mr. Spilde indicated this item would be tabled as additional review of the ordinance was necessary as well as any changes to ordinances within the Village needed to be reviewed by the Plan Commission as well as the need for a public hearing to be held.

G. Discuss/approve Resolution #2024-24 Appointment of Election Official

Mr. Lehmann made a motion to approve Resolution #2024-24 Appointment of Election Official, seconded by Mr. Hudson. Motion carried on unanimous voice vote by members present.

H. Discuss/approve Resolution #2024-25 – Hiring of Clerk-Treasurer Position

Mr. Lehmann made a motion to approve Resolution # 2024-25 – Hiring of Clerk-Treasurer Position, seconded by Mr. Hudson. Motion carried on unanimous voice vote by members present. Ms. Cathryn Zeinert was hired as the Village's Clerk-Treasurer to go into effect on/about January 1, 2025.

I. Discuss/approve replacement of squad car(s)

Chief Orgon asked that his item be tabled until the next Village Board meeting as he was not able to obtain a quote from Ewald in time for discussions to be held. He indicated that he wishes to purchase two new squad cars through the 2025 & 2026 fiscal year budgets to replace the Dodge Chargers in his fleet.

J. Discuss/approve external posting sites/length of time to advertise for Public Works Director/Village Administrator positions as recommended by Trustee Berg

In Mr. Berg's absence, Mr. Hudson reviewed the rough draft version of the ad posting. The Village of Lake Hallie will be looking to fill the newly combined position of Public Works Director/Village Administrator. A summary of the primary focuses for the positions was discussed and approved. Mr. Hudson will provide a revision of the ad and forward it to the board members and Clerk-Treasurer for review. The posting is scheduled to run approximately four-weeks or until filled. Mr. Lehmann made a motion to approve the external posting of the Public Works Director/Village Administrator position, the posting sites and the length of time to advertise at

four-weeks, seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present.

K. Discuss/approve Civic Systems training expense for Cathy Zeinert at a cost not to exceed \$405.00
Mr. Lehmann made a motion to approve Civic Systems training expense for Cathy Zeinert at a cost not to exceed \$405.00, seconded by Mr. Hudson. Motion carried on unanimous voice vote by members present.

L. Discuss/approve proposal from Fahrner Asphalt for pavement striping on 40th Avenue from Cty P to 160th Street and 118th Street from Melby Road to 21st Avenue
Mr. Greenwood made a motion to approve the proposal from Fahrner Asphalt for pavement striping on 118th Street from Melby Road to 21st Avenue (centerline only) as submitted, seconded by Mr. Hudson. Motion carried on unanimous voice vote by members present. The board decided that a centerline and fog lines were not necessary on 40th Avenue from County P to 160th Street.

8. Old Business:

A. None

9. Approval of Minutes: Minutes are unapproved & changes could be made when it is addressed during the meeting.

A. August 5, 2024 Village Board Meeting Minutes

B. August 8, 2024 Village Board Special Meeting Minutes

Mr. Lehmann made a motion to approve the August 5, 2024 Village Board Meeting Minutes and August 8, 2024 Village Board Special Meeting Minutes as presented, seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present.

10. Finance:

A. Treasurer's Report: (Usually 2nd Meeting of each Month)

1. July, 2024

- a. Treasurer's Report
- b. Profit & Loss Statement
- c. Ehlers Investment Summary

Mr. Lehmann made a motion to approve the July 2024 Treasurer's Report as presented, seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present.

B. Claims & Disbursements.

- 1. August 19, 2024 Check Register in the amount of \$225,224.53 (Manual Checks 2924-2930 & Check #40797-40855)

Mr. Lehmann made a motion to approve the August 19, 2024 Claims & Disbursements in the amount of \$225,224.53 (Manual Checks 2924-2930 & check #40797-40855) seconded by Mr. Hudson. On roll call vote, Mr. Lehmann, Mr. Hudson, Mr. Greenwood, and Mr. Spilde voting aye. Motion carried.

11. Licensing:

A. Operator(s):

- 1. See attached List

B. Social Use Permit (Village Hall Rental/Park Rental):

- 1. Denny & Trudy Knauf @ 13545 41st Avenue, Lake Hallie for a 60th Anniversary Party on September 14, 2024

Mr. Lehmann, on single vote, made a motion to approve the Operator's License as presented and a Social Use permit for . Denny & Trudy Knauf @ 13545 41st Avenue, Lake Hallie for a 60th Anniversary Party on September 14, 2024, seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present.

12. Convene to closed session under 19.85 (1) (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (Deputy Clerk-Treasurer position) and (g) conferring with legal counsel for the governmental body who is

rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Wal-Mart property assessment lawsuit)

Mr. Greenwood made a motion at 9:00 p.m. to convene to closed session under 19.85 (1) (c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (Deputy Clerk-Treasurer position) and (g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Wal-Mart property assessment lawsuit), seconded by Mr. Hudson. Motion carried on unanimous voice vote by members present.

13. **Re-convene** to open session. Announce any action taken in closed session.

Mr. Hudson made a motion at 9:06 p.m. to reconvene to open session, seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present.

14. Adjournment.

Mr. Greenwood made a motion at 9:07 p.m. to adjourn, seconded by Mr. Hudson. Motion carried on unanimous voice vote by members present.

Respectfully submitted

Kris Fitzsimmons
Clerk-Treasurer